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BARRY R. LIPSITZ  
DOUGLAS M. McALLISTER

2665  
41  
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NOV 15 2004

Technology Center 2600

In re Application of:  
Application No.:  
Filed:  
For:

Liu et al.  
09/666,901  
September 20, 2000  
**METHOD AND APPARATUS FOR DETERMINING A  
TRANSMISSION BIT RATE IN A STATISTICAL MULTIPLEXER**

**Mail Stop Amendment**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Art Unit: 2665  
Examiner: S. Nguyen

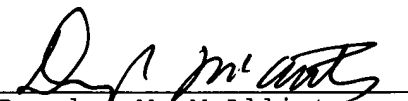
Sir:

Transmitted herewith is:

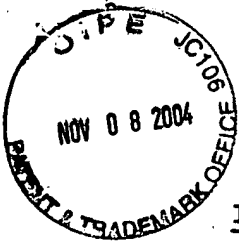
- ☒ Response (4 pages);
- ☒ Return receipt postage prepaid postcard;
- ☒ I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: **Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 5, 2004.**

The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 50-0625.

Very truly yours,

  
Douglas M. McAllister  
Attorney for Applicant(s)  
Registration No. 37,886  
Law Office of Barry R. Lipsitz  
755 Main Street  
Monroe, Connecticut 06468  
(203) 459-0200

Attorney Docket No.: **GIC-620**



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Technology Center 2600 P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Liu, et al. ) Examiner: S. Nguyen  
Serial No.: 09/666,901 ) Art Unit: 2665  
Filed: September 20, 2000 )

For: **METHOD AND APPARATUS FOR DETERMINING A TRANSMISSION BIT RATE  
IN A STATISTICAL MULTIPLEXER**

Mail Stop: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being  
facsimile transmitted to: Mail Stop Amendment, Commissioner  
for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:  
November 5, 2004.

Signature: Carol Prentice  
Carol Prentice

RESPONSE

Dear Sir:

This Response is responsive to the Office Action mailed on  
September 20, 2004.

REMARKS

Summary

Claims 1-13 are pending in the application. The Examiner has  
indicated that claims 4-12 contain allowable subject matter.

Claims 1-3 and 13 stand rejected under 35 U.S.C. § 102(b) as  
being anticipated by Balakrishnan (US 5,793,425).

Applicants respectfully traverse these rejections in view of  
the following comments.

Discussion of Balakrishnan

Claims 1-3 and 13 stand rejected under 35 U.S.C. § 102(b) as